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ARRIVALSTAR S.A. and MELVINO TECHNOLOGIES LIMITED

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

ARRIVALSTAR S.A. and MELVINO
TECHNOLOGIES LIMITED,

Plaintiffs,

v.

APL LOGISTICS, INC.,

Defendant.

AND RELATED COUNTERCLAIM.

Case No. C 06 4289 SBA

**STIPULATION AND ORDER TO
EXTEND TIME TO SERVE
PRELIMINARY INVALIDITY
CONTENTIONS**

Plaintiffs and counterdefendants ArrivalStar S.A. and Melvino Technologies Limited and defendant and counterclaimant APL Logistics Americas, Ltd., ("APL") hereby stipulate, by and through their respective counsel, to extend time to and including January 12, 2007, for APL to serve its preliminary invalidity contentions. The present deadline is December 29, 2006. The parties are currently participating in meaningful settlement discussions and believe that this short extension will allow the parties to focus on settlement with the expectation that service of the preliminary invalidity contentions will be ultimately unnecessary.

Accordingly, the parties respectfully request that the Court extend the deadline until January 12, 2007, for APL to serve its preliminary invalidity contentions.

DATED: January 2, 2007

TOWNSEND AND TOWNSEND AND CREW LLP

By: /s/Eric P. Jacobs

Eric P. Jacobs

*Attorneys for Defendant and Counterclaimant
APL Logistics Americas, Ltd.*

DATED: January 2, 2007

DAVIS WRIGHT TREMAINE LLP
NIRO, SCAVONE, HALLER & NIRO

By: /s/Matthew G. McAndrews

Matthew G. McAndrews

*Attorneys for Plaintiffs and Counterdefendants
ArrivalStar S.A. and Melvino Technologies Limited*

ORDER

Pursuant to Stipulation, IT IS SO ORDERED.

DATED: 1/3/07


HON. SAUNDRA B. ARMSTRONG
UNITED STATES DISTRICT JUDGE

GENERAL ORDER 45 ATTESTATION

I, Eric P. Jacobs, am the ECF user whose ID and password are being used to file this
STIPULATION AND [PROPOSED] ORDER TO EXTEND TIME TO SERVE PRELIMINARY
INVALIDITY CONTENTIONS. In compliance with General Order 45, X.B., I hereby attest that
Matthew G. McAndrews and Martin L. Fineman have concurred in this filing.

/s/Eric P. Jacobs
Eric P. Jacobs

60829748 v1

PROOF OF SERVICE

[C.C.P. §§ 1011 and 1013, C.R.C. § 2008, F.R.C.P. Rule 5, F.R.A.P. 25]

I declare that I am employed in the City and County of San Francisco, California; I am over the age of 18 years and not a party to the within action; my business address is Two Embarcadero Center, Eighth Floor, San Francisco, California, 94111. On the date set forth below, I served a true and accurate copy of the document(s) entitled:

STIPULATION AND [PROPOSED] ORDER TO EXTEND TIME TO SERVE PRELIMINARY INVALIDITY CONTENTIONS

on the party(ies) in this action by placing said copy(ies) in a sealed envelope each addressed as follows:

Via Mail and Electronic Transmission

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*Attorneys for Plaintiffs and
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[By First Class Mail] I am readily familiar with my employer's practice for collecting and processing documents for mailing with the United States Postal Service. On the date listed herein, following ordinary business practice, I served the within document(s) at my place of business, by placing a true copy thereof, enclosed in a sealed envelope, with postage thereon fully prepaid, for collection and mailing with the United States Postal Service where it would be deposited with the United States Postal Service that same day in the ordinary course of business.

[By Overnight Courier] I caused each envelope to be delivered by a commercial carrier service for overnight delivery to the offices of the addressee(s).

[By Hand] I directed each envelope to the party(ies) so designated on the service list to be delivered by courier this date.

[By Facsimile Transmission] I caused said document to be sent by facsimile transmission to the fax number indicated for the party(ies) listed above.

[By Electronic Transmission] I caused said document to be sent by electronic transmission to the e-mail address(es) indicated for the party(ies) listed above.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed this date at San Francisco, California.

Dated: December 29, 2006.

 Eric P. Jacobs

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